

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN**

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EDSAL MANUFACTURING COMPANY,  
INC.,  
4400 SOUTH PACKERS AVENUE  
CHICAGO, IL 60609,

CASE No. 14-CV-213

PLAINTIFF,

V.

JS PRODUCTS, INC.,  
5440 S. PROCYON AVENUE  
LAS VEGAS, NV 89118,

DEFENDANT.

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**COMPLAINT WITH JURY DEMAND**

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Plaintiff Edsal Manufacturing Company, Inc. (“Edsal”) states the following for its complaint against Defendant, JS Products, Inc. (“JSP”):

**The Parties**

1. Plaintiff Edsal is an Illinois corporation having its principal place of business at 4400 South Packers Avenue, Chicago, IL 60609. Edsal develops, manufactures and supplies storage systems and industrial furniture including innovative shelving products.

2. On information and belief, Defendant JSP is a Nevada corporation having its principal place of business at 5440 S. Procyon Avenue, Las Vegas, NV 89118.

**Jurisdiction and Venue**

3. This is an action for patent infringement under 35 U.S.C. § 271.

4. The Court has original subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338(a).

5. Venue is appropriate in this judicial district pursuant to 28 U.S.C. §§ 1391 and 1400(b).

6. On information and belief, Defendant manufactured, sold, offered for sale, and/or distributed infringing shelving products in this forum, directly or through intermediaries, and has caused Edsal harm and tortious injury in this judicial district.

### **The Asserted Patent**

7. Edsal is the owner of United States Patent No. 7,128,225 B2 (“the ‘225 Patent’”) entitled “Cargo Rack” which was issued by the United States Patent and Trademark Office on October 31, 2006. A copy of the ‘225 Patent is attached as Exhibit A.

### **Infringement**

8. Upon information and belief, Defendant JSP has and continues to directly and/or indirectly infringe one or more claims of the ‘225 Patent under 35 U.S.C. § 271 by making, using, selling, offering to sell and/or importing shelving products in violation of Edsal’s rights, and JSP will continue to do so unless enjoined by this Court.

9. Defendant JSP’s infringement of the ‘225 Patent caused and will continue to cause Edsal substantial and irreparable injury for which Edsal is entitled to receive injunctive relief

10. Upon information and belief, Defendant JSP profited and will continue to profit by its infringing activities.

11. Edsal is entitled to receive damages adequate to compensate for Defendant JSP’s infringement.

12. On information and belief, after a reasonable opportunity for discovery the evidence is likely to show that Defendant's infringement of the '225 Patent has been and continues to be willful.

**Demand for Relief**

WHEREFORE, Plaintiff Edsal Manufacturing Company, Inc. respectfully requests the Court enter judgment against Defendant JS Products, Inc. as follows:

- A. Enter judgment that Defendant JSP infringed the '225 Patent;
- B. Preliminarily and permanently enjoin Defendant JSP, its employees and agents, and any others acting in concert with JSP, from infringing the '225 Patent;
- C. Award Edsal its damages resulting from Defendant JSP's infringement of the '225 Patent, including interest, costs, expenses and an accounting of all infringing acts;
- D. Award Edsal treble damages pursuant to 35 U.S.C. § 284 as a result of JSP's willful infringement of the '225 Patent;
- E. Declare that Defendant JSP's infringement is exceptional under 35 U.S.C. § 285 and award Edsal its attorney fees; and
- F. Grant Edsal such other relief as the Court deems just and proper.

**Jury Demand**

Plaintiff Edsal Manufacturing Company, Inc. demands a trial by jury pursuant to Rule 38 of the Federal Rules of Civil Procedure.

Dated: March 20, 2014.

Respectfully submitted,

s/ Donald A. Daugherty, Jr.

Donald A. Daugherty, Jr.

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